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**The situation in the Middle East**

# The situation in the Middle East

## Report of the Secretary-General

*Summary*

The present report contains replies received from Member States in response to the Secretary-General's note verbale of 31 May 2005 concerning implementation of the relevant provisions of General Assembly resolutions 59/32, entitled "Jerusalem", and 59/33, entitled "The Syrian Golan", both of 1 December 2004.

## Contents

| | | Page |
|---|---|---|
| I. | Introduction | 2 |
| II. | Replies received from Member States | 2 |
| | Colombia | 2 |
| | Panama | 3 |
| | Slovakia | 3 |
| | Syrian Arab Republic | 3 |

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# I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 59/32 and 59/33, both of 1 December 2004. In its resolution 59/32, the Assembly deplored the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and called once more upon those States to abide by the provisions of the relevant United Nations resolutions. In its resolution 59/33, which concerns Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. In order to fulfil his reporting responsibility under resolutions 59/32 and 59/33, on 31 May 2005 the Secretary-General addressed notes verbales to the Permanent Representative of Israel to the United Nations and to the Permanent Representatives of other Member States, requesting them to inform him of any steps their Governments had taken or envisaged taking concerning implementation of the relevant provisions of those resolutions. As at 15 August 2005, replies had been received from Colombia, Panama, Slovakia and the Syrian Arab Republic. Those replies are reproduced in section II of the present report.

# II. Replies received from Member States

## Colombia

[Original: Spanish]

First, Colombia wishes to reaffirm its position of recognizing the right of Israel to secure and internationally recognized boundaries free from threats or acts of force, as well as its support for the Palestinian aspiration to establish in the region a free and independent State whose citizens are able to enjoy full human, social, economic and cultural rights, together with the right of self-determination.

Colombia thus shares the view that the two States should live side by side in harmony and peaceful coexistence, as proposed under the road map, the international policy instrument which is most conducive to the achievement of peace in the region and which has Colombia's full endorsement and support.

During the current session of the General Assembly, Colombia voted in favour of the above-mentioned resolution 59/32, entitled "Jerusalem", as it also did in the case of the resolutions adopted by the Assembly at its special emergency session, such as the resolution on the legal status of the Occupied Palestinian Territory, including East Jerusalem, of 7 May 2002, and the resolution of 20 July 2004 on the advisory opinion of the International Court of Justice on the construction of the wall by Israel.

By voting in favour of resolution 59/32, Colombia reaffirmed its established position not to transfer its diplomatic mission to Jerusalem and to support a just and lasting solution to the question of Jerusalem that takes into account the legitimate concerns of both parties.

Colombia also voted in favour of the second resolution referred to above, 59/33 on the Syrian Golan, thereby demonstrating its unchanging position of urging Israel to resume talks with both Lebanon and the Syrian Arab Republic with a view to fulfilling the commitments made in accordance with the relevant Security Council resolutions.

Colombia has also supported related resolutions on the subject of the Syrian Golan in both the Second and Fourth Committees. In the Second Committee, it supported the resolution entitled "Permanent sovereignty of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and of the Arab population in the occupied Syrian Golan over their natural resources" and, in the Fourth Committee, the resolutions entitled "The occupied Syrian Golan" and "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan".

## Panama

[Original: Spanish]

The Government of Panama, in compliance with the provisions of General Assembly resolution 59/32 and of Security Council resolution 478 (1980), has maintained its diplomatic representation in the city of Tel Aviv, Israel, with the aim of contributing to the maintenance of the status of the Holy City of Jerusalem and to the achievement of a just and lasting peace in the Middle East.

In the context of the implementation of resolution 59/33, we recognize that the Syrian Golan has been an occupied territory since 1967 and that any legal, administrative or other measures taken by the occupying Power in contravention of Security Council resolution 497 (1981) are in violation of the Charter of the United Nations and of international law.

Our Government is convinced that a halt to all acts that violate the resolutions of the Security Council and the General Assembly will facilitate negotiations and the search for a lasting peace.

## Slovakia

[Original: English]

The Slovak Republic is a contributor of military personnel to the United Nations Disengagement Observer Force operating on the Golan Heights in accordance with Security Council resolution 1605 (2005). In the course of its duties, the Slovak military personnel comply with the provisions of international law and international humanitarian law that are binding on the Slovak Republic.

## Syrian Arab Republic

[Original: Arabic]

As throughout the previous years since the Israeli occupation of the Syrian Golan in 1967, the international community has again reiterated its firm rejection of

that occupation and called for the withdrawal of the Israeli occupying forces from the entire Syrian Golan. The recent General Assembly resolution 59/33 affirms the concern prevailing in the international community as a result of Israel's failure to comply with the relevant resolutions and its continued occupation of the Golan, contrary to Security Council and General Assembly resolutions. In resolution 59/33 the Assembly also declares that Israel's decision to impose its laws, jurisdiction and administration on the Syrian Golan is null and void and has no validity whatsoever, as confirmed by the Security Council in its resolution 497 (1981), and calls upon Israel to rescind it.

After 38 years of this unjust occupation and despite the resolutions of international legitimacy and the calls made in every international forum by the majority of world leaders, who have rejected the Israeli occupation of the occupied Arab territories and condemned the daily repressive practices and flagrant violations of all international instruments and norms, Israel has continued to disregard all such calls and international resolutions in the absence of any deterrent in the way of its expansionist ambitions.

The Syrian Arab Republic has affirmed its vigorous desire to continue work and cooperation with the United Nations. Syria expresses special appreciation to the Secretary-General of the United Nations and his assistants for their efforts in the face of the difficulties encountered in the course of preserving the status of the Organization. In that context, Syria affirms that the platform of international legitimacy and United Nations resolutions undoubtedly remain the key reference point that is the most widely accepted and respected among the countries of the world. That being a firm principle of Syrian policy, the President of the Syrian Arab Republic, Bashar Al-Asad, has on more than one occasion expressed his readiness to resume peace negotiations on the footing which served as the starting point for the Madrid peace process in 1991. In every international forum, moreover, Syria has declared its full commitment to the relevant international resolutions, together with the principle of land for peace, and has called for the implementation of those resolutions, in particular resolutions 242 (1967), 338 (1973) and 497 (1981), so as to secure Israel's full withdrawal from all of the occupied Syrian Golan to the line of 4 June 1967, without restriction or condition. Through its endorsement of the Arab peace initiative at the Beirut summit in 2002, Syria also firmly established its strategic choice, which is based on the achievement of a just and comprehensive peace in accordance with the relevant resolutions of international legitimacy. Such peace can be achieved only through the implementation of those resolutions, which won the support of the international community.

The Government of the Syrian Arab Republic condemns the decisions of the Israeli Government to increase the number of settlements and expand settlement activities in the occupied Golan. It also condemns the announcement by the Israeli Settlements Council of a campaign that, as part of the 2005 settlement drive, aims to attract 300 families to the Golan by proclaiming its doors open to them and hailing it as lively. Such Israeli practices show Israel's true intention to reject peace and disregard Security Council and General Assembly resolutions, most recently General Assembly resolution 59/125 of 10 December 2004, in which Israel is once more called upon to desist fully from all forms of Israeli settlement.

The Government of the Syrian Arab Republic emphasizes the need to give serious consideration to means of securing implementation of the relevant

international resolutions, without distinction or selectivity, and application of the Geneva Conventions in order to put pressure on Israel, the occupying Power, to comply with the will of the international community and seize the peace opportunities offered by Syria for the achievement of a just and comprehensive peace in the Middle East.

The Government of the Syrian Arab Republic also emphasizes its endorsement of General Assembly resolution 59/32, entitled "Jerusalem". Syria calls on the international community to exercise pressure on Israel to end its occupation of the Arab territories which it has occupied since 1967, including Jerusalem, and comply with resolution 478 (1980), in which the Security Council decided not to recognize the "basic law" on Jerusalem and affirmed that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is unlawful and thus null and void, with no validity whatsoever. The Syrian Arab Republic further calls on all States to comply fully with the provisions of resolution 59/32, in particular the third preambular paragraph, which refers to Security Council resolution 478 (1980), in which the Security Council calls upon those States that have established diplomatic missions at Jerusalem to withdraw such missions from the Holy City and to accept the decision set forth in the resolution.